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Fifth Session, Twenty-Second Parliament, 5-6 Elizabeth II, 1957.

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## THE SENATE OF CANADA

### BILL 17.

An Act respecting Les Révérends Pères Oblats de  
l'Immaculée Conception de Marie.

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Read a first time, Tuesday, 26th February, 1957.

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Honourable Senator CONNOLLY (Ottawa West).

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EDMOND CLOUTHIER, C.M.G., O.A., D.S.P.  
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY  
OTTAWA, 1957

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## THE SENATE OF CANADA

### BILL 17.

An Act respecting Les Révérends Pères Oblats de  
l'Immaculée Conception de Marie.

Preamble.

WHEREAS Les Révérends Pères Oblats de l'Immaculée Conception de Marie, a corporation incorporated by chapter 143 of the statutes of the former Province of Canada, 12 Victoria, 1849, hereinafter referred to as "the principal Act", set forth in Schedule 1 to this Act, as amended by chapter 51 of the statutes of the Province of Quebec, 38 Victoria, 1875, chapter 52 of the statutes of the Province of Quebec, 51-52 Victoria, 1888, and chapter 115 of the statutes of the Province of Quebec, 24 George V, 1934, set forth in Schedule 2 to this Act, and as amended by chapter 104 of the statutes of the Province of Ontario, 1 Edward VII, 1901, and by chapter 86 of the statutes of the Province of Ontario, 23 George V, 1933, set forth in Schedule 3 to this Act, has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Change  
of name.

1. The name of Les Révérends Pères Oblats de l'Immaculée Conception de Marie is hereby changed to Les Missionnaires Oblats de Marie Immaculée, hereinafter called "the Corporation". The change in the name of the Corporation shall not in any way impair, alter or affect the rights or liabilities of the Corporation or any bequest, gift or donation now made or which hereafter may be made to the Corporation, whether by its original or its new name, or any suit or proceeding now pending or judgment existing, either by or in favour of or against the Corporation which, notwithstanding such change in the name of the Corporation may be enforced and continued as if this Act had not been passed.



### EXPLANATORY NOTES.

The purpose of this Bill is to change the name of the Corporation to Les Missionnaires Oblats de Marie Immaculée, to modernize its charter, and to bring its objects, purposes and powers in line with its present requirements. By its Act of incorporation the Corporation was authorized to function throughout the former Province of Canada, now the provinces of Ontario and Quebec. The jurisdiction of the Parliament of Canada has now been invoked because the purposes of the Corporation are interprovincial in scope and because it functions and holds property in both Ontario and Quebec.

The purpose of the amendment proposed in clause 12 is to remove from the principal Act the limitation on the annual value of real property which may be held by the Corporation.

The purpose of clause 13 is to remove certain provisions concerning the acquisition, and disposition on dissolution, of the property of the Corporation.

- Head office.**     **2.** The head office of the Corporation shall continue to be at the city of Montreal, in the province of Quebec, or shall be at such other place in Canada as may be decided by the Corporation: Provided that notice in writing shall be given to the Secretary of State by the Corporation of any change of the head office and such notice shall be published in the *Canada Gazette*. 5
- Objects.**     **3.** The objects of the Corporation shall be
- (a) to organize, establish, maintain and carry on residences for its members, missions, churches, places of worship, parsonages, parochial undertakings, retreat houses and institutions, orphanages, houses of refuge for the aged, rest homes and institutions and agencies for promoting, teaching, propagating and disseminating the Roman Catholic faith and doctrine and for training persons for the said purposes; 10
  - (b) to promote, organize, establish, maintain and carry on social service, welfare and guidance institutions and agencies; 15
  - (c) to promote education, instruction and culture, and to organize, establish, maintain and carry on schools, colleges, academies, seminaries, institutions of learning, and industrial, technical and agricultural institutes and farms; 20
  - (d) to promote charity and to care for the poor, and to organize, establish, maintain and carry on charitable institutions, hospitals, clinics and dispensaries; and 25
  - (e) to organize, establish, maintain and carry on libraries, and houses and agencies for printing, publishing and disseminating literature, newspapers, periodicals and works of education, religion, art and science. 30
- Powers to acquire and hold property.**     **4.** The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real or personal, corporeal or incorporeal, and any or every estate or interest whatsoever, given, granted, mortgaged, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or any way whatsoever, to, for or in favour of the use and purposes of the Corporation. 35
- Borrowing powers.**     **5.** (1) The Corporation may, from time to time, for the purposes of the Corporation 40
- (a) borrow money upon the credit of the Corporation;
  - (b) limit or increase the amount to be borrowed;
  - (c) make, draw, accept, endorse or become party to promissory notes and bills of exchange, and every such note or bill made, drawn, accepted or endorsed by the party thereto authorized by the by-laws of the Corporation and countersigned by the proper party thereto authorized by the by-laws of the Corporation, shall be 45

binding upon the Corporation, and shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown; and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill;

(d) issue bonds, debentures or other securities of the Corporation;

(e) pledge or sell such bonds, debentures or other securities for such sums and at such prices as may be deemed expedient; and

(f) mortgage, hypothecate or pledge any property of the Corporation, real or personal, by way of trust deeds or otherwise, to secure the repayment of any money borrowed for the purposes of the Corporation.

(2) Nothing in this section shall be construed to authorize the Corporation to issue any note or bill payable to bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank or to engage in the business of banking or insurance.

#### Investments.

6. The Corporation may invest its funds, or any portion thereof, either directly in the name of the Corporation or indirectly in the name of trustees, in the purchase of such securities as it may deem advisable and may lend its funds or any portion thereof on any such securities.

7. The Corporation may pursue its objects and exercise its rights and powers in any part of Canada.

#### Application of mortmain laws.

8. In regard to any real property of the Corporation, which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a license in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, insofar as such laws apply to the Corporation.

#### Removal of special requirements.

9. Any deed of sale or conveyance whereby the Corporation has acquired any real or immoveable property, which did not comply with the special requirements set forth in Section VI of the principal Act, is hereby declared to be as valid as if it had complied with such requirements.

#### Council of administration.

10. (1) All the powers of the Corporation shall continue to be exercised by a Council of Administration, hereinafter called "the Council", which shall have the control and management of all the affairs and business of the Corporation.



(2) The Council shall consist of the Provincial, the Bursar and four Councillors.

(3) The members of the Council now in office shall continue in office until their successors are appointed pursuant to this section.

5

(4) The Council shall have power by by-law or resolution  
(a) to determine the conditions upon which persons may be admitted and retained as members of the Corporation, and the rights and duties of such members;

(b) to provide for the term of office and the mode of appointment of the members of the Council, and for filling any vacancy which may occur in the Council by death, resignation or otherwise; and

(c) to make rules and regulations for calling and holding meetings of the Council and for determining the quorum of the Council.

Effect of provisions.

**11.** The provisions of this Act shall have full force and effect notwithstanding anything contained in the principal Act or in any amendments thereto.

Yearly value.

**12.** Section I of the principal Act is amended by striking out the words "not exceeding in yearly value the sum of two thousand pounds currency of this Province", as they appear therein.

Repeal.

**13.** Sections IV, V and VI of the principal Act are repealed.

25

## SCHEDULE 1

*Chapter 143 of the Statutes of the former  
Province of Canada, 12 Victoria, 1849.*

An Act to incorporate Les Révérends Pères Oblats de  
l'Immaculée Conception de Marie,  
in the Province of Canada.

(30th May, 1849)

## Preamble.

WHEREAS an Association of Ecclesiastics hath existed  
for several years in the Province of Canada under the name  
of LES RÉVÉRENDIS PÈRES OBLATS DE L'IMMACULÉE CONCEPTION DE MARIE, having for its object  
the establishing of missions, procuring Instruction and 5  
Education, erecting and conducting Hospitals for indigent  
sick persons; And whereas the said LES RÉVÉRENDIS  
PÈRES OBLATS, have by the Petition presented in their  
name by the Reverend Father Jean Claude Léonard, one  
of their Body, prayed that the said Association may be 10  
incorporated; And whereas, in consideration of the great  
benefits which must arise from the Institution, it is expedient  
to grant their prayer: Be it therefore enacted by the Queen's  
Most Excellent Majesty, by and with the advice and consent  
of the Legislative Council and the Legislative Assembly of 15  
the Province of Canada, constituted and assembled by  
virtue of and under the authority of an Act passed in the  
Parliament of the United Kingdom of Great Britain and  
Ireland, and intituled, An Act to re-unite the Provinces of  
Upper and Lower Canada, and for the Government of 20  
Canada, and it is hereby enacted by the authority of the  
same, That the Reverend Fathers Joseph Eugène, Bishop  
of Bytown, the said Jean Claude Léonard, Damase Dan-  
durand, John Ryan, M. Molly, and such other persons  
natural born or naturalized subjects of Her Majesty as 25  
may be now or may hereafter become under the provisions  
of this Act, Members of the said Institution, shall be and  
are hereby declared to be a Body Politic and Corporate in  
deed and in name by the name LES RÉVÉRENDIS PÈRES  
OBLATS DE L'IMMACULÉE CONCEPTION DE 30  
MARIE, and by that name shall have perpetual succession  
and a Common Seal, with power to change, alter, break or  
renew the same when and as often as they may think proper  
and shall by the same name, at all times hereafter be able  
and capable to purchase, acquire, hold, possess and enjoy, 35  
and to have, take, and receive to them and their Successors,  
to and for the uses and purposes of the said Corporation  
under any legal title whatsoever, and without any further

Members of  
the  
Association,  
Ec. incor-  
porated.

Corporate  
name and  
powers.



Amount of  
property  
limited.

By-laws for  
certain  
purposes.

The  
Corporation  
may appoint  
Attorneys.

The rents, &c.  
to be applied  
to certain  
purposes.

As to real  
property  
bequeathed  
or given to  
the  
Corporation  
in case of its  
dissolution.

authorization or letters of Mortmain, any lands, tenements and hereditaments, moveable and immoveable property situate, lying and being within this Province, not exceeding in yearly value the sum of two thousand pounds currency of this Province, and the same to sell, alienate and dispose of, and to purchase, acquire and possess others in their stead for the said purposes; and by the same name shall and may be able and capable in law to sue and be sued, implead and be impleaded, answer and be answered unto in all Courts of Law and places whatsoever, in as large, ample and beneficial a manner as any other Body Politic or Corporate, or as any persons able or capable in law may or can sue and be sued, implead and be impleaded, answer and be answered unto, in any manner whatsoever, and the service of any summons or process made at the domicile of any one of the said Members of the Corporation in any one of their establishments wherein two or more of the said Members may reside, shall be a valid service thereof, upon the said Corporation; and the said Corporation shall have full power and authority to make and establish such By-laws, Rules, Orders and Regulations, not being contrary to this Act nor to the Laws in force in this Province, as shall be deemed useful and necessary for the interests of the said Corporation and for the management thereof, and of the affairs and property of the said Corporation and for the admission of Members into, or their removal from the said Corporation, and for their qualification and for all other purposes having for their object the promotion of the welfare and interests of the said Corporation, and from time to time to amend, alter or repeal the said By-laws, Rules, Orders and Regulations or any of them, in such manner as the said Corporation may deem meet and expedient.

II. And be it enacted, That the said Corporation shall also have power to appoint, if they think fit, one or more Attorneys for the purpose of conducting the affairs of the said Corporation, and shall, generally, enjoy all the rights and privileges enjoyed by other legally Incorporated Bodies in this Province.

III. And be it enacted, That the rents, revenues, issues and profits of all property, real or personal, moveable or immoveable, held by the said Corporation, shall be appropriated and applied solely to the maintenance of the Members of the said Corporation, the construction and repairs of the buildings requisite for the purposes of the said Corporation, and the payment of the expenses incurred for objects legitimately connected with or depending on the purposes aforesaid.

IV. And be it enacted, That if the said Corporation shall from any cause whatsoever be dissolved the moveable property which shall then be *en nature*, and the immoveable

property and *rentes constituées* which shall have been given, devised or bequeathed to the said Corporation, or the immoveable property received in exchange for or purchased by means of the sale of the property so given, devised or bequeathed, and which shall be in possession of the said Corporation at the time of its dissolution, shall return to and belong to the legal Heirs of the person or persons respectively who shall have given, devised or bequeathed, such property to the said Corporation. 5

As to other property of the Corporation in such case.

V. And be it enacted, That in case of such dissolution of the said Corporation, the real property by them purchased and acquired and paid for out of their own revenues, and not by the sale or exchange of any property given, devised or bequeathed to them as well as all other property then belonging to the said Corporation, and not liable to be claimed by and revert to the Heirs of any Donor or Testator under the provisions of the next preceding section of this Act, shall be at the disposal of the Provincial Parliament for the purpose of being applied to the maintenance of some Charitable Institution, or the Education of the Poor, in the Parish or Township in which such property shall be situate. 10 15 20

Conditions in Deeds of sale, &c. to the Corporation.

VI. And be it enacted, That no Deed of Sale or Conveyance by which the said Corporation shall purchase or acquire any real or immoveable property or annual rents (*rentes constituées*) shall be valid or effectual to any intent or purpose whatsoever, unless in such Deed it be stated and set forth that such purchase or acquisition is made with the funds of the said Corporation itself, or with funds arising from the sale or alienation of such and such property describing the same, given, devised or bequeathed to the said Corporation by such and such person or persons, designating the same by name, or otherwise, as the case may be. 25 30

Corporation to account when called upon.

VII. And be it enacted, That it shall be the duty of the said Corporation at all times when they may be called upon so to do by the Governor of this Province, to render an account in writing of their property and affairs, in which shall be set forth in particular the income by them derived from property held under this Act and the means by which the same has been acquired. 35

Members not liable for the debts of the Corporation.

VIII. And be it enacted, That no Member of the said Corporation shall be individually liable or accountable for the debts, contracts or securities of the said Corporation. 40

Rights of the Crown, &c. saved.

IX. And be it enacted, That nothing herein contained shall affect or be construed to affect in any manner or way, the Rights of Her Majesty, Her Heirs or Successors, or of any Body Politic or Corporate, such only excepted as are hereinbefore mentioned and provided for. 45

Public Act.

X. And be it enacted, That this Act shall be deemed a Public Act, and shall be publicly taken notice of as such by all Judges, Justices of the Peace, and other persons whomsoever, without being specially pleaded. 50



## SCHEDULE 2.

*Chapter 51 of the Statutes of the Province of Quebec,  
38 Victoria, 1875.*

An Act to amend the Act 12 Victoria, chapter 143.  
(Assented to 23rd February, 1875.)

Preamble.

WHEREAS the Corporation of Les Révérends Pères Oblats de l'Immaculée Conception de Marie has represented by petition, that it is expedient to amend the act of the late Province of Canada, 12th Victoria, chapter 143, by which the said corporation was constituted and incorporated; and whereas it is expedient to grant the prayer of the said petition; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:—

Power to  
acquire,  
possess, etc.

1. The said Corporation may at all times and places, by purchase, gift, bequest, cession, loan, or by all other lawful title and means, acquire, possess, inherit, take, have, accept and receive, for itself and its successors, without any further authorization, or letters of mortmain, any property moveable and immoveable whatsoever, for the uses and purposes of the said corporation, as also to hypothecate, sell, lease, farm, exchange, alienate and generally legally dispose of the same, in whole or in part, for the same purposes; provided that such immoveable property shall not exceed in annual value, the sum of twenty thousand dollars, over and above the value of the immoveable property occupied for the purposes of the said corporation; and provided also, that, if the said corporation become proprietor of immoveable property, exceeding in annual value the sum of twenty thousand dollars as aforesaid, it shall be obliged to sell such surplus property within five years from acquiring the same.

Proviso:

Proviso:

S. 3 of 12  
Vict., c. 143  
repealed.  
Use of  
profits.

2. The third section of the said act of incorporation is repealed, and the following substituted therefor:

"And be it enacted, that the rents, revenues and profits of all property, moveable and immoveable of the said corporation, be employed for the uses thereof."

Ss 4, 5 of said  
Act repealed.

Properties  
given,  
remains  
ecclesiastical,  
in case of  
dissolution.

3. The fourth and fifth sections of the said Act of incorporation are repealed, and the following substituted therefor:

"And be it enacted, that in the event of the dissolution of the said corporation for any reason whatsoever, the moveable property then in existence, and the immoveables and constituted rents, which shall have been given and bequeathed to the said corporation, or the other immoveable property, bought or exchanged, by means of the sale of the



property so given and bequeathed, and which may be in the possession of the said corporation, at the time of such dissolution, shall remain ecclesiastical property according to the laws of the Roman Catholic church, and shall be under the exclusive control of the Roman Catholic bishop of the diocese in which they are situated; to be by him employed en oeuvres pies; provided always that this act, in no manner affect donations made previously thereto, having a special clause expressed in the deed of donation, that the properties given, are so given on condition that such properties should revert to the heirs of the donor or donors, in the event of the dissolution of the said corporation."

Proviso:

S. 6 of the said Act repealed.

Certain Acts declared valid.

4. The sixth section is repealed and struck out and the following added:

"And be it enacted, that all deeds of sale or other deeds whatsoever made and passed without the formalities and mentions required by the said sixth section of the said act of incorporation, be declared legal and valid, as if the said formalities had been observed and followed in conformity with the said sixth section."

*Chapter 52 of the Statutes of the Province of Quebec,  
51-52 Victoria, 1888.*

An act to further amend the act of the former Province of Canada, 12 Victoria, chapter 143, respecting the Oblate Fathers.

*(Assented to 12th July, 1888.)*

Preamble.

WHEREAS the Reverend Pères Oblats de l'Immaculée Conception de Marie have, by their petition, represented that it is expedient to further amend the act of the former Province of Canada, 12 Victoria, chapter 143, by which they were incorporated; and whereas it is expedient to grant such prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

12 V., c143,  
s 1 amended.

1. Section 1 of the Act, 12 Victoria, chapter 143, is amended by striking out the words "born or naturalized subjects of Her Majesty" in the seventeenth line thereof, and also by striking out the following words: "and the service of any summons or process made at the domicile of any one of the said members of the corporation in any one of their establishments wherein two or more of the said members may reside, shall be a valid service thereof upon the corporation," and also by adding at the end of the said first section, the following:

Head Office.

"The principal establishment of the said corporation in the Province of Quebec is in the city of Montreal."

*Chapter 115 of the Statutes of the Province of Quebec,  
24 George V, 1934.*

An Act to amend the charter of the corporation of  
Les Révérends Pères Oblats de l'Immaculée de Marie

*(Assented to, the 20th April, 1934.)*

Preamble.

WHEREAS Reverend Father Philémon Bourassa, O.M.I.,  
Provincial, Reverend Father Eugène Guérin, O.M.I.,  
Provincial Councillor, and Reverend Father Antoine Bour- 5  
assa, O.M.I., Provincial Econome, all members of the  
corporation of Les Révérends Pères Oblats de l'Immaculée  
Conception de Marie, have, by their petition, represented:

That the corporation of Les Révérends Pères Oblats de  
l'Immaculée Conception de Marie was incorporated by the 10  
act 12 Victoria, chapter 143, subsequently amended by the  
act 38 Victoria, chapter 51, and by the act 51-52 Victoria,  
chapter 52;

That the corporation has considerably developed since,  
and has acquired juvenates, novitiates and scholasticates,  
and consequently has had to acquire property; 15

That the said corporation wishes to change its corporate  
name to that of Les Missionnaires Oblats de Marie Imma-  
culée;

That, considering the development of its work, it has  
become necessary to specify and better define the rights of 20  
the corporation;

That it has become necessary to determine its powers of  
borrowing, particularly by means of an issue of bonds;

That for such reasons the corporation needs more ample 25  
powers;

That it has prayed for the passing of an act for the above  
purposes and obtained the consent of the Ordinary of the  
diocese; and

Whereas it is expedient to grant its prayer;

Therefore, His Majesty, with the advice and consent of 30  
the Legislative Council and of the Legislative Assembly of  
Quebec, enacts as follows:

Title of Act.

**1.** This act may be cited as an act to amend the charter  
of Les Révérends Pères Oblats de l'Immaculée Conception  
de Marie.

Change of  
corporate  
name.

**2.** The name "Les Révérends Pères Oblats de l'Imma- 35  
culée Conception de Marie" is hereby changed to that of  
"Les Missionnaires Oblats de Marie Immaculée", and  
section 1 of chapter 143 of the act incorporating Les Révé-  
rends Pères Oblats de l'Immaculée Conception de Marie of 40  
the heretofore Province of Canada passed in the second



year of the reign of Her Majesty Queen Victoria, is amended by removing the name "Les Révérends Pères Oblats de l'Immaculée Conception de Marie", wherever it appears in the said charter, by replacing it by the name "Les Missionnaires Oblats de Marie Immaculée", and its said corporate name is also changed wherever it is found in the act 38 Victoria, chapter 51, and in the act 51-52 Victoria, chapter 52. 5

38 Vict., c. 51,  
s. 1, replaced.

**3.** Section 1 of the act 38 Victoria, chapter 51, is replaced by the following. 10

Powers, etc.,  
of the  
corporation.

**"1.** The Corporation may:

- (a) Accept, receive and acquire, according to law, and possess moveables and immoveables, provided the annual revenue from the immoveables held by the corporation, for purposes of revenue only, does not exceed one hundred thousand dollars; 15
- (b) Administer its property and draw the revenues thereof, sell, exchange, cede and alienate the same in any way whatsoever, or otherwise dispose of same;
- (c) Contract, in any manner recognized by law, on the credit of the corporation, loans of any sum of money necessary for the attainment of the objects for which it was incorporated; 20
- (d) Give security and guarantees of any nature, or otherwise secure any debts or obligations which the corporation may deem opportune to assume; 25
- (e) Issue bonds or other securities of the corporation and give the same in guarantee or sell them at the price and amount considered advisable;
- (f) Hypothecate, mortgage or pledge the moveables or immoveables, present or future, of the corporation, to assure the payment of such bonds or other securities, or give a part only of these guarantees for the same object; and constitute the hypothec, mortgage or pledge, mentioned in this subparagraph, by a deed of trust in accordance with chapter 227 of the Revised Statutes, 1925, or in any other way; 30 35
- (g) Hypothecate or mortgage the immoveables, or pledge or otherwise affect the moveables of the corporation, or give all such guarantees, to secure the payment of loans made otherwise than by bond issue, as well as the payment or execution of other debts, contracts or undertakings of the corporation; 40
- (h) Effect the pledges, hypothecs or guarantees indicated in this section, to secure loans already made by the said corporation by means of an issue of bonds or otherwise." 45



Purchases  
etc., valid-  
ated, etc.

4. All purchases, gifts, bequests, cessions or transfers of moveable and immoveable property made by or to the corporation are hereby ratified and the said property described in the contracts, agreements, transfers or deeds of gift and now held by the corporation is hereby transmitted 5  
to Les Missionnaires Oblats de Marie Immaculée.

Adminis-  
trative  
council.  
Composition,  
etc.

5. (1) All the powers of the corporation shall be exercised by the administrative council.

(2) The administrative council shall consist of six members, to wit, the Provincial, the Provincial Econome and 10  
four other councillors, and three members shall be a quorum, until another number shall have been fixed by by-law.

Present,  
Councillors.

(3) The present councillors shall remain in office until their respective successors are elected.

Powers.

(4) The administrative council shall have the control 15  
and administration of all the affairs of the corporation, and, for greater certainty, without restricting the generality of the above terms, it is enacted that the administrative council shall have power.

(a) To hypothecate, mortgage or pledge all the moveable 20  
or immoveable property, present or future, of the corporation, to assure the payment of any sum of money borrowed, or the performance of any obligation which the corporation will have assumed by a promissory note, cheque or other document, duly signed, drawn or 25  
endorsed by it;

(b) To pass any by-law as to the term of office and manner of appointing the members of its administrative council, and as to filling any vacancy which may arise in such council, by the death or resignation of a member 30  
or otherwise.

(c) To pass any by-law determining the rules and regulations to be followed for the holding of meetings of the said council, and its operations, and to determine the quorum of the council. 35

(d) To invest any sum which the corporation may have in hand, in the manner which the administrative council may see fit to do.

Coming into  
force.

6. This act shall come into force on the day of the 40  
sanction.

## SCHEDULE 3

*Chapter 104 of the Statutes of the Province of Ontario,  
1 Edward VII, 1901.*

An Act respecting Les Révérends Pères Oblats de l'Immaculée Conception de Marie, commonly known as The Oblates of Mary Immaculate.

*(Assented to 15th April, 1901.)*

WHEREAS the Corporation of Les Révérends Pères Oblats de l'Immaculée Conception de Marie, commonly known as The Oblates of Mary Immaculate have, by their Petition represented that the said Corporation was incorporated on the 30th day of May, 1849, under an Act of the late Province of Canada, being Chapter 143 of the Acts passed in the twelfth year of the reign of Her late Majesty, Queen Victoria, and by their said Petition have asked for an Act amending the said Act of Incorporation by empowering the said Corporation to mortgage, hypothecate, sell, lease or otherwise dispose of the real and personal property of the said Corporation, and whereas it is expedient to grant the prayer of the said Petition:—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to sell,  
mortgage,  
etc., real and  
personal  
property.

1. The said Corporation shall have power from time to time and so often as they shall deem necessary or expedient, to mortgage, hypothecate, sell, lease or otherwise dispose of the real and personal property of the said Corporation.

*Chapter 86 of the Statutes of the Province of Ontario,  
23 George V, 1933.*

An Act to amend the Act incorporating Les Révérends Pères Oblats de l'Immaculée Conception de Marie.

*(Assented to 18th April, 1933.)*

Preamble.

WHEREAS the corporation of Les Révérends Pères Oblats de l'Immaculée Conception de Marie has by its petition represented that it was incorporated by an Act of the late Province of Canada, passed in the twelfth year of the Reign of Her Majesty Queen Victoria, and entitled *An Act to incorporate Les Révérends Pères Oblats de l'Immaculée Conception de Marie in the Province of Canada*, and has by its petition sought that an Act be passed changing the name of the said corporation and otherwise amending its Act of incorporation; and whereas it is expedient to grant the prayer of the said petition;



Therefore, His majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Start title.

**1.** This act may be cited as *Les Missionnaires Oblats de Marie Immaculée Act, 1933.*

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Name changed.

**2.** The name "Les Révérends Pères Oblats de l'Immaculée Conception de Marie" is changed to "Les Missionnaires Oblats de Marie Immaculée," and section 1 of chapter 143 being the Act to incorporate Les Révérends Pères Oblats de l'Immaculée Conception de Marie, in the Province of Canada, passed in the twelfth year of the reign of Her Majesty Queen Victoria, is amended by striking out the name, "Les Révérends Pères Oblats de l'Immaculée Conception de Marie" wherever it occurs in the said section and inserting in lieu thereof the name "Les Missionnaires Oblats de Marie Immaculée."

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**3.** Notwithstanding anything contained in the said Act,—

Power to acquire lands, subject to *The Mortmain and Charitable Uses Act.*

(a) The said corporation may from time to time and at all times acquire and hold as purchaser any interest in lands and tenements and the same alienate, lease, mortgage and dispose of, and purchase others in their stead, provided that the said corporation shall not at any time acquire or hold as purchaser any lands or tenements or interest therein otherwise than for actual use or occupation for the purposes of the said corporation, and the said corporation may from time to time take or hold by gift, devise or bequest any lands or tenements or interest therein; but no lands or tenements or interest therein acquired by gift, devise or bequest shall be held by the said corporation for a longer period than seven years after the acquisition thereof unless the same are actually used or occupied for the purposes of the said corporation; and to the extent that any such lands or tenements or interest therein are not actually required for such use or occupation, the same shall within the said period of seven years be disposed of by the said corporation, failing which the same shall be forfeited to the Crown as in the case of lands forfeited under *The Mortmain and Charitable Uses Act.*

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Rev. Stat. c. 132.

(b) All conveyances, transfers and devises of land and tenements heretofore made in favour of the said corporation are hereby confirmed and the lands and tenements described in the said conveyances, transfers or devises and now held by the said corporation are hereby vested in "Les Missionnaires Oblats de Marie Immaculée."

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12 Vict.,  
c. 143. ss. 4,  
5 and 6  
repealed.

Council of  
Administration.

Membership.

Present  
members.

Powers of  
management.

**4.** Sections 4, 5 and 6 of the said Act are hereby repealed.

**5.** (1) Notwithstanding anything contained in the said Act all the powers of the said corporation shall be exercised by a managing body called the Council of Administration.

(2) The Council of Administration shall consist of six members as follows: The Provincial, The Bursar and four Councillors. 5

(3) The members of the council now in office shall continue in office until their respective and several successors are appointed. 10

(4) The Council of Administration shall have the control and management of all the affairs of business of the corporation and for greater certainty, but not so as to limit the generality of the foregoing, it is declared that the council shall have power to,— 15

(a) hypothecate, pledge or charge any or all the personal and real property of the corporation to secure any money borrowed or the fulfilment of any obligations incurred by it under promissory note or bill of exchange signed, made, drawn or endorsed by it; 20

(b) pass by-laws providing for the term of office and the mode of appointment of the members of the council, and for filling any vacancy which may occur in the council by death, resignation or otherwise;

(c) pass by-laws providing rules and regulations pertaining to the meeting of the council and its transactions and for fixing the quorum of the council; 25

(d) subject to the limitations imposed by any trust as to the same, invest all such money as shall come to the hands of the corporation in such manner as to the council may seem meet. 30

Commence-  
ment of Act.

**6.** This Act shall come into force on the day upon which it receives the Royal Assent.